

Meeting Summary
Transaction Recovery Fund Committee
Monday, July 8, 2019

Vice-Chairman Geoff Malloy called the Transaction Recovery Fund Committee meeting to order at 9:59 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Dan Banister, Steve Farmer, Rob Fisher, Ron Kody, Matt McQueen, Maurice Slaughter and Don Sullivan. (Absent: Chris Maher, Michael Bor and Randy Harris) Other Board members present: Rick Holcomb (left at 10: 24 a.m.), Gardner Britt, Liza Borches, Senior Saghafi, Ted Bailey, David Duncan and Joe Tate. Executive Director William Childress, Peggy Bailey, Micah Bailey and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's office.

The May 13, 2019 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS – There was no old business.

Revisit: Randy Pinocci vs. The Car Man of Richmond, LLC. Historical Overview: On April 8, 2019, an informal fact-finding conference was conducted to address the alleged violation of VA Code Section 46.2-1527.3 against The Car Man of Richmond, LLC. Based on the information provided at the conference, the hearing officer recommended approval of the \$25,000 claim to Mr. Pinocci. Mr. Mark Esposito, attorney for The Car Man or Richmond, filed exceptions to the Hearing Officer's report and informed the Board of the intent to challenge the judgment through the court within the next 30 days. Motion was made by Dan Banister to table this issue to the July Board meeting so that counsel for The Car Man can provide documentation from the court regarding the debtor's intention to vacate the judgment. Matt McQueen seconded. All in favor: 9 (Banister, Bor, Farmer, Fisher, Harris, Kody, Malloy, McQueen, Sullivan). Opposed: 1 (Maher). The motion carried.

Motion was made by Steve Farmer to table this issue to the September Board Meeting. This issue has been re-submitted to court. Dan Banister seconded. The motion carried unanimously.

OLD BUSINESS FROM THE FLOOR – There was no old business from the floor.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conferences:

Nicholas C. Campisi vs. Goldstar Motor Co. and Thomas K. Maad – On April 9, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against Goldstar Motor Co. and Thomas K. Maad. Based on the information provided at the conference, the hearing officer recommended that the committee deliberate on what is fair and meets the requirements of code in this case. The hearing officer cannot make a favorable recommendation without a legal interpretation.

Mr. Maad was present and spoke on his own behalf.

Motion was made by Steve Farmer to table this issue to the September Board meeting. Mr Maad indicated that he will be paying this judgment as soon as possible. He will provide proof to the Board of this payment. Rob Fisher seconded. The motion carried unanimously.

Thomas Kinson vs. GN Auto, LLC and Gaby Touma – On June 20, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against GN Auto, LLC and Gaby Touma. Based on the information provided at the conference, the hearing officer recommended approval of the \$9,250.00 claim to Mr. Kinson.

Motion was made by Dan Banister to table this issue to the September meeting. Clarification is needed regarding attorney fees. Matt McQueen seconded. The motion carried unanimously.

Christopher L. Mendoza vs. Cars For Sale, Inc. – On June 20, 2019, an informal fact-finding conference was conducted to address the alleged violations of VA Code Sections 46.2-1527.3 against Cars For Sale, Inc. Based on the information provided at the conference, the hearing officer recommended approval of the \$9,569.23 claim to Mr. Mendoza.

Mirna Rubio, Owner of Cars For Sale, Inc. was present and spoke on her own behalf.

Motion was made by Steve Farmer to accept the hearing officer's recommendation and approve Mr. Mendoza's claim in the amount of \$9,569.23. Rob Fisher seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR – There was no new business from the floor.

The next meeting was scheduled for September 9, 2019

The meeting adjourned at 10:31 a.m.